

1 GLYNN, FINLEY, MORTL,  
HANLON & FRIEDENBERG LLP  
2 JAMES M. HANLON, JR., Bar No. 214096  
VICTORIA R. NUETZEL, Bar No. 115124  
3 DAWSON P. HONEY, Bar No. 347217  
One Walnut Creek Center  
4 100 Pringle Avenue, Suite 500  
Walnut Creek, CA 94596  
5 Telephone: (925) 210-2800  
Facsimile: (925) 945-1975  
6 jhanlon@glynnfinley.com  
vnuetzel@glynnfinley.com  
7 dhoney@glynnfinley.com

8 SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT  
OFFICE OF THE GENERAL COUNSEL  
9 SAM N. DAWOOD, Bar No. 178862  
2150 Webster St., 10th Floor  
10 Oakland, CA 94612  
Telephone: (510) 464-6023  
11 Facsimile: (510) 464-6049  
sdawood@bart.gov

12 Attorneys for Defendant  
13 San Francisco Bay Area Rapid Transit District

14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA

16  
17 GABRIEL CHAVEZ, MARY ENGLER-  
CONTRERAS, RHIANNON DOYLE,  
18 SUSAN RICHARDSON, JOHNATHAN  
CASTANEDA, JAMES GILHEANY, PHI  
19 LI GEMA ESPINOZA-CARR, AVIN  
CURRY on behalf of themselves and all  
20 other similarly situated persons,

21 Plaintiffs,

22 vs.

23 SAN FRANCISCO BAY AREA RAPID  
TRANSIT DISTRICT, and DOES 1-100

24 Defendants.  
25

Case No. 3:22-cv-06119-WHA

Related Cases:

Case No. 3:22-cv-09193-WHA

Case No. 3:22-cv-07720-WHA

JOINT STIPULATED FACTS TO BE  
READ TO JURY

Trial Date: July 8, 2024

Time: 8:00 a.m.

1 **GENERAL STIPULATIONS**

2 1. The San Francisco Bay Area Rapid Transit District, known as BART, is a heavy  
3 rail public transportation service.

4 2. BART trains travel through Alameda, Contra Costa, San Francisco,  
5 San Mateo, and Santa Clara counties.

6 3. BART has approximately 4,300 employees.

7 4. On October 14, 2021, the BART Board of Trustees passed a policy that required  
8 all employees to be vaccinated against COVID- 19 as a condition of continued employment.

9 5. Employees were required to be fully vaccinated by December 13, 2021.

10 6. BART employees could apply for a religious exemption from the vaccine policy.

11 7. Each Plaintiff was employed by BART.

12 8. Each Plaintiff applied to BART for a religious exemption and accommodation  
13 from the COVID-19 vaccination policy.

14 9. For those Plaintiffs granted an exemption, BART concluded that no reasonable  
15 accommodation was available to excuse the Plaintiff from compliance with the COVID-19  
16 vaccination policy.

17 10. Each Plaintiff was separated from their employment from BART, whether by  
18 termination, compelled resignation, or compelled early retirement, because he or  
19 she refused to comply with the vaccination policy.

20 **STIPULATIONS FOR FIRST GROUP OF PLAINTIFFS**

21 *Rhiannon Doyle*

22 a. Rhiannon Doyle began her employment at the San Francisco Bay Area Rapid Transit  
23 District on June 18, 2007. Her employment ended on December 21, 2021. Her hourly  
24 wage was \$34.63.

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1 *Adrian Gilbert*

- 2 a. Adrian Gilbert submitted a request for religious exemption from the vaccine policy,  
3 which was granted.
- 4 b. Adrian Gilbert began his employment at the San Francisco Bay Area Rapid Transit  
5 District on September 9, 2019. His employment ended on February 5, 2022. His hourly  
6 wage was \$37.07.

7 *Clifton Harrison*

- 8 a. Clifton Harrison began his employment at the San Francisco Bay Area Rapid Transit  
9 District on August 30, 2016. His employment ended on January 31, 2022. His hourly  
10 wage was \$41.19.

11 *Phi Le*

- 12 a. Phi Le submitted a request for religious exemption from the vaccine policy, which was  
13 granted.
- 14 b. Phi Le began his employment at the San Francisco Bay Area Rapid Transit District on  
15 February 27, 2012. His employment ended on February 17, 2022. His hourly wage was  
16 \$34.63.

17 *Susan Richardson*

- 18 a. Susan Richardson began her employment at the San Francisco Bay Area Rapid Transit  
19 District on January 24, 2012. Her employment ended on February 10, 2022. Her hourly  
20 wage was \$41.19.

21 *Darolyn Turner*

- 22 a. Darolyn Turner submitted a request for religious exemption from the vaccine policy,  
23 which was granted.
- 24 b. Darolyn Turner began her employment at the San Francisco Bay Area Rapid Transit  
25 District on September 5, 2017. Her employment ended on January 29, 2022. Her hourly  
26 wage was \$41.19.

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1 *Albert Roth*

2 a. Albert Roth began his employment at the San Francisco Bay Area Rapid Transit District  
3 on August 11, 2003. His employment ended on February 7, 2022. His hourly wage was  
4 \$53.25.

5 Dated: July 3, 2024

PACIFIC JUSTICE INSTITUTE  
KEVIN T. SNIDER  
MATTHEW B. MCREYNOLDS  
MILTON E. MATCHAK

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By: /s/ Kevin T. Snider  
Attorneys for Plaintiffs

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11 Dated: July 3, 2024

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GLYNN, FINLEY, MORTL,  
HANLON & FRIEDENBERG, LLP  
JAMES M. HANLON, JR.  
VICTORIA R. NUETZEL  
DAWSON P. HONEY

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By: /s/ James M. Hanlon, Jr.  
Attorneys for Defendant San Francisco  
Bay Area Rapid Transit District

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